App. No. 10/709,889 Amendment dated December 26, 2007 Reply to Office action of September 24, 2007

<u>REMARKS</u>

Summary of Amendments

1. Claims 1 through 10 were originally presented in this application. Claims 11-17 were added in an amendment dated November 23, 2005. Claims 18 and 19 were added in an amendment dated July 24, 2006. Claims 20 and 21 were added and claims 11-15 were canceled in an amendment dated August 11, 2007. Claims 1 and 20 are amended in this paper as described in more detail below. Claims 1-10 and 16-21 remain pending.

Claim Rejections - 35 U.S.C. § 112

2. Previously presented claim 20 stands rejected under 35 U.S.C. § 112, first paragraph, as containing new subject matter. In particular, the Examiner states that nothing in the original specification or drawings depicts "the support structure thermally isolating the ceramic-metal composite from the processing chamber." Applicant has amended claim 20 to address this issue. In particular, Applicant has removed the just-cited language from claim 20. Applicant therefore submits that claim 20, as currently amended, is fully supported by the original specification and drawings, and therefore that the §112 rejection has been overcome. Moreover, since there are no prior-art rejections of claim 20, Applicants requests allowance of the claim.

Claim Rejections – 35 U.S.C. § 102

- 3. Independent claim 1 stands rejected under 35 U.S.C. § 102(b) as being anticipated by *Ohashi et al.* (U.S. Pat. App. Pub. No. 2003/0064225). The Examiner has upheld this rejection from the previous Office action, dated May 11, 2007.
- 4. Applicant respectfully traverses this rejection to the extent that it is pertinent to independent claim 1 as amended. Claim 1 has been amended to recite, "the ceramic-metal composite having a diameter greater than or equal to that of the susceptor." This amendment is clearly supported by original Figs. 1 through 6 such that no new matter has been added. Figs. 1A and 1B depict the composite 1 having a diameter equal to that of the susceptor 2, while Figs. 2-6 depict the composite having a diameter greater than that of the susceptor 2.
- 5. Applicant respectfully submits that independent claim 1, as amended, now distinguishes patentably over *Ohashi et al.*, for at least two reasons. First, *Ohashi et al.* clearly discloses a ceramic-metal composite 125 having a diameter

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less than that of the susceptor 127. (Cf. Fig. 12 of the reference.) Moreover, since the ceramic 125 is provided in a recess in the susceptor 127, there can be no disclosure or suggestion in *Ohashi et al.* that the ceramic 125 could have a diameter that is greater than or equal to that of the susceptor 127. Second, *Ohashi et al.* does not teach a composite furnished **atop** the susceptor, as to the contrary is recited in claim 1 of the present application, but rather, *Ohashi et al.* teaches a composite 125 furnished in a recess in susceptor 127.

6. For the foregoing reasons, Applicant respectfully submits that *Ohashi et al.* cannot anticipate claim 1 as currently amended. Applicant submits that claim 1 is therefore now allowable. As noted above in addressing the § 112 rejection in the current Office action, Applicant also submits that claim 20 is allowable. Independent claims 1 and 20 being allowable, it follows that dependent claims 2-10, 16-19, and 21 must also be allowable, since these dependent claims carry with them all the elements of the independent claims from which they depend.

Accordingly, Applicant courteously urges that this application is in condition for allowance. Reconsideration and withdrawal of the rejections is requested. Favorable action by the Examiner at an early date is solicited.

Respectfully submitted,

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/James Judge/

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